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# Conference on Disarmament

25 February 2010

English

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## Final record of the one thousand one hundred and seventy-first plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 25 February 2010, at 10.10 a.m.

*President:* Mr. Mikhail Khvostov..... (Belarus)

**The President** (*spoke in Russian*): I declare open the 1171st plenary meeting of the Conference on Disarmament.

Before turning to the list of speakers for today, I should like to invite the Conference to take a decision on the request from another State not member of the Conference to participate in our work. The request is contained in document DC/WP.555/Add.4 before you and has been received from Jordan.

May I take it that the Conference decides to invite Jordan to participate in our work, in accordance with the rules of procedure? I see no objection.

*It is so decided.*

**The President** (*spoke in Russian*): The following delegations have requested to take the floor at today's plenary meeting: Brazil and Nigeria. I now give the floor to His Excellency Mr. Macedo Soares, Ambassador of Brazil. You have the floor, Sir.

**Mr. Macedo Soares** (Brazil): Mr. President, I would like to express my appreciation for the manner in which you have been conducting the work of the Conference on Disarmament following your predecessor, Ambassador Hannan of Bangladesh, conducting extensive consultations that I hope will lead to the presentation of specific proposals for a programme of work that can be considered by the Conference. You have been working in a firm manner and with a positive way of dealing with the political problems that confront the Conference.

The negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices is one of the most widely supported and long-standing objectives in the sphere of nuclear disarmament and nuclear non-proliferation. Already in 1957, the United Nations General Assembly adopted resolution 1148, which called for the cessation of such production.

The need to begin immediate negotiations on a multilateral, non-discriminatory treaty, internationally and effectively verifiable, banning fissile material production was part of the final package of decisions agreed by consensus at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), under the title "Principles and objectives for nuclear non-proliferation and disarmament", and was one of the "Thirteen practical steps for the systematic and progressive efforts to achieve nuclear disarmament", adopted by the 2000 NPT Review Conference. It was even agreed that the negotiations should be concluded within five years on the basis of the so-called Shannon report and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives.

The United Nations General Assembly, by its resolution 64/29, adopted by consensus in January, once again urged the Conference on Disarmament to immediately commence negotiations on such a treaty.

A number of arguments have been raised to prevent the Conference on Disarmament from heeding the repeated calls for the negotiations on fissile material. Let me dwell on some of them, for, in order to conduct serious multilateral work, it is necessary to explore different viewpoints, to give an open and bona fide response to arguments instead of simply repeating national positions.

One objection is based on the idea that the ultimate goal and first priority is nuclear disarmament. No one denies that. However, many years of discussion have made clear that the way to reach that goal requires a gradual approach. The Comprehensive Nuclear-Test-Ban Treaty resulted from that pragmatic understanding, and it is rightly seen as a step in the direction of nuclear disarmament. Likewise, negotiations dealing with fissile material

produced for nuclear weapons are seen as another important measure that would bring limitations on maintaining and building up nuclear arsenals.

It is also argued that the Conference on Disarmament has other issues on its agenda that should equally be the object of negotiations. A legally binding instrument on negative security assurances, for instance, should be negotiated, for it certainly would reduce the reason for keeping nuclear weapons pending their final prohibition. However, the existence of that and other items on our agenda cannot be the basis of the refusal to deal with fissile material, as it is an essential component of nuclear weapons.

In addition, national security needs are invoked to justify opposition to negotiations on fissile material. States that neither possess nuclear weapons nor are parties to military alliances nor enjoy assurances of nuclear weapons protection on the part of nuclear-weapon States suffer from an acute asymmetry in terms of national security. That is the case of my country. It is true that specific geopolitical situations may raise strong security concerns, but these situations cannot justify the development of weapons of mass destruction as well as disregard for the principles and norms of international law and remaining oblivious to the conduct of civilized international relations.

The system that the world community has been striving to build and strengthen in the last 65 years aims at ensuring security for all countries and peace and a dignified life for all human beings. We should not be indifferent to problems faced by any individual country, but this does not mean that we should encourage violence in the form of, for example, weapons of mass destruction. The principle of equal security for all points to a collective goal. An international system restricted to individual concerns is not sustainable.

It might be said that these are unrealistic considerations that ignore the immense and apparently irreducible inequality in international relations. The privilege of sitting in this hemicycle is to deal with intractable matters.

The negotiation on fissile material must lead to a clear, general, irreversible and verifiable ban on the production of such material for nuclear weapons or other nuclear explosive devices. It must also regulate pre-existing fissile material destined to those same purposes. Obviously, compliance to those regulations has to be subject to verification.

It is undeniable that rules on the prohibition of production, complex as they may be, are less complicated than regulations on pre-existing material. Trying to solve these complexities by way of a negotiating mandate could preclude the very negotiation. Variations can be found around the previous mandates adopted by the Conference on Disarmament but none will solve beforehand problems that only actual negotiations can settle.

No instrument of international law is ever cost-free to any State. This would amount to saying that there are issues which are above the concerns of most nations, and that those nations, in their childish insouciance, would readily and thoughtlessly accept any rules or limitations. Disarmament affairs are not the domain of those sole States that possess or intend to acquire weapons of mass destruction. Every Government has the responsibility before its people to pursue international conditions best suitable to their well-being. War, threats and coercion are not among those conditions.

The elimination of nuclear weapons is an essential element for the reduction of the democratic deficit that persists in international relations. There are certainly other problems that impede a democratic international system, such as human rights, the financial system, trade and others, that require great efforts from Governments and civil society. If we look at the history of international relations in the last 65 years we realize how much has been accomplished in terms of treaty-making in areas that seemed intractable. Many negotiations took long years but States persevered, not listening to sceptical considerations.

Looking back at the results of those negotiations, no State can feel that its initial objectives have been thoroughly fulfilled, but at the same time it realizes that some progress at least has been made in the direction of common good.

In the city of Rousseau, it is not out of place to remind ourselves of the general aspirations of humanity.

**The President** (*spoke in Russian*): I thank Ambassador Macedo Soares of Brazil for his important statement and for his kind words addressed to the Chair.

I should now like to give the floor to His Excellency Mr. Uhomoibhi, Ambassador of Nigeria. Sir, you have the floor.

**Mr. Uhomoibhi** (Nigeria): Mr. President, since my delegation is taking the floor in the plenary for the first time this session, I have the greatest pleasure in congratulating you on your assumption of the presidency of the Conference on Disarmament. Through you, I would like to extend my delegation's warmest felicitations to Mr. Abdul Hannan, Ambassador of Bangladesh, for the clarity and coherence he brought to bear on our work at the beginning of this session. My deepest appreciation also goes to other members of the P-6 for their diligence and commitment in support of efforts to overcome difficulties that continue to imperil the work of the Conference.

Let me also use this opportunity to assure you of the readiness of the Nigerian delegation to work with you and other members of the P-6 to advance the work of the Conference on Disarmament this year.

As a non-nuclear-weapon State, Nigeria has not only renounced the nuclear option, but takes its obligations under the NPT seriously, very seriously indeed. Nigeria's basic position has always been that as long as nuclear weapons exist, they constitute a threat to humanity. In the face of this threat, let us be honest with ourselves, there is no immunity to the "haves" and the "have nots". It is for this reason that Nigeria has long argued that the most effective and credible guarantee against the use or threat of use of nuclear weapons lies in their total elimination.

That is our wish, but we are realists too. For my country, realism means that while we struggle to achieve a nuclear-free world, we must not underestimate the value of incremental success. For Nigeria, success means progress on nuclear disarmament, non-proliferation and an unconditional granting of negative security assurances to non-nuclear-weapon States.

In furtherance of this modest objective, my country has teamed up in the last few years with Chile, Malaysia, New Zealand, Sweden and Switzerland to co-sponsor the "de-alerting" resolution in the United Nations General Assembly as a practical means of minimizing the dangers posed by nuclear weapons on high alert. My delegation sees much value in these "small steps" and therefore encourages other delegations to support these measures.

Last year, after more than a decade of stalemate, the Conference on Disarmament finally adopted a programme of work. Such was the overwhelming sense of success among delegations that not even a failure to reach agreement on how to implement this landmark decision could deprive delegations of celebrating the moment as historic. Against this backdrop, my delegation is saddened by the seeming reversal of fortunes in the Conference after so much promise last year.

The hope among many delegations, including mine, was that the 2010 session would build on the success achieved in 2009 to substantially advance the work of the Conference this year. That the Conference has yet to capitalize on the promise of last year to get back to serious work is as worrisome as it is frustrating. How did we fail to seize what was, in

retrospect, an auspicious moment in the recent history of the Conference on Disarmament? What could we have done differently that we did not do? Finally, what should we do now to get the Conference to start the serious business of negotiating disarmament treaties, as it has done so admirably in the past?

This personal reflection has become necessary because today is probably going to be my last plenary meeting in the Conference on Disarmament, as I will soon leave Geneva to assume office in Nigeria as Permanent Secretary in the Ministry of Foreign Affairs. This, of course, will take some time to process, but I just thought it fitting to mention it here. As with all departures, I am leaving Geneva with mixed feelings but also, thankfully, with significant memories. One such memory, regrettably, is the continuing paralysis in the Conference on Disarmament. It is a matter of personal regret that three years after my first appearance in this chamber, I will be leaving the Conference in no better shape than I met it.

As I probably take my final bow this morning, I would like to appeal to delegations to see the continuing stalemate both as an opportunity and challenge to listen to one another more intensely so as to be able to capture the legitimate fears and concerns of all delegations as we seek to break the quagmire that continues to paralyse work in the Conference on Disarmament. Of course it goes without saying that without flexibility and mutual respect for differing perspectives, the solutions we seek, and which we all deserve, will continue to elude us.

Let me say, by way of conclusion, that I will be leaving the Conference on Disarmament but the Conference will not be leaving me. In my new role in the Foreign Ministry of Nigeria, I will be constantly monitoring progress in this hallowed chamber in the hope that sooner, rather than later, our collective resolve will be sufficient to overcome the long-standing difficulties that have impaired negotiations in this important forum. In my view, working to achieve an inclusive and acceptable programme of work will not only raise the profile of the Conference on Disarmament, but will also erase the increasing perception of this forum as largely ineffective.

As I reflect on the day when the Conference on Disarmament will have finally moved from talk to action, please accept my best wishes for the success we all deserve.

**The President** (*spoke in Russian*): I would like to thank the distinguished Ambassador of Nigeria for his statement and for the kind words addressed to the presidency and, with regard to his new appointment, I should like on behalf of the Conference, my colleagues in the presidency and on my own behalf to express our recognition of the work he has done in the Conference and wish him every success in his new post.

I have no more speakers on my list and so I would ask whether there are any other delegations that would like to take the floor today. I see none. I should therefore like to make a short statement of an informational nature.

I wish to inform delegations about the consultations I have been holding for the purpose of formulating proposals regarding the Conference's programme of work. At this stage as President, I can see that we still do not have a consensus for the adopting of a programme of work. I should also like to inform the Conference that, after many consultations, I am beginning to have a vision of the direction in which the President should be moving in order to ensure that the Conference fulfils its mandate, and that is negotiation.

The rules of procedure stipulate that, after adopting the agenda, the Conference must adopt its programme of work. Under rules 27 and 28, contained in paragraphs 27 and 28 of the rules of procedure, in establishing its programme of work, the Conference shall take into account the recommendations made to it by the General Assembly, the proposals presented by member States and the decisions of the Conference.

Accordingly, I began the process of drafting a programme of work on the basis of the following principles. We have a formal decision of the Conference, adopted by consensus, on the programme of work for 2009, which is contained in document CD/1864. We have two resolutions from the sixty-fourth session of the General Assembly, adopted by consensus, that make specific recommendations to the Conference. We also have a series of proposals for the Conference's programme of work for this year, none of which has yet succeeded in leading us to a consensus.

Guided by these three principles, or rather approaches, I have drawn up a draft document for the programme of work, which I have circulated to delegations through the regional coordinators. I expect delegations to take a constructive approach and make their contributions to the paper. I also intend to meet next week with the groups specifically to discuss the paper which might, I hope, once the responses have been received and consolidated, lay the groundwork for the adoption of the Conference's programme of work.

I would like to stop there for the time being. If there are no more speakers, then this concludes our business for today. Next week, the Conference will be hearing statements from a number of dignitaries. As of today, the list of speakers is as follows:

On 2 March, at 10 a.m., we will hear a statement by the Vice-Minister for Foreign Affairs of the Republic of Korea, Mr. Cho;

On 2 March, at 3 p.m., the Minister for Foreign Affairs of Ireland, Mr. Martin, will speak;

On 3 March, at 3 p.m., we will hear a statement by the State Secretary of Romania, Mr. Aurescu;

On 4 March, at 10 a.m., the Vice-Minister for Foreign Affairs of Japan, Ms. Nishimura will speak; and

On 5 March, at 10 a.m., we will hear a statement by the Minister for Foreign Affairs of Kazakhstan, Mr. Saudabayev.

I should also like to inform you that the next formal plenary meeting of the Conference will be held in this room on Tuesday, 2 March, at 10 a.m.

*The meeting rose at 10.45 a.m.*